

7817/TPG/jf

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM G. GIBBONS,

Plaintiff,

-against-

LEONARD FRONTON, D.O., STEVEN FEIN,  
M.D., STERLING MEDICAL CORPORATION,  
DEPARTMENT OF VETERANS AFFAIRS and  
THE UNITED STATES OF AMERICA,

Defendants.

Case No.: 07-CV-2801

**MANDATORY DISCLOSURE  
PURSUANT TO FRCP 26(a)**

Plaintiff, WILLIAM GIBBONS, by his attorneys, BARTON, BARTON & PLOTKIN, LLP, respectfully sets forth the following pursuant to the Federal Rules of Civil Procedure 26(a):

1. **WITNESSES:**

Plaintiff is not aware of any individuals at this time likely to have discoverable information concerning this action other than the parties to this action, their agents, servants and/or employees.

2. **INSURANCE/COLLATERAL SOURCE INFORMATION:**

Plaintiff, WILLIAM GIBBONS, receives collateral source benefits through TriCare Military Insurance, ASI, Attention: Corporate Plans Dept., 2301 Research Blvd., Suite 300, Rockville, MD 20850-6265. An authorization to obtain plaintiff's collateral source information is provided herein simultaneously with the service of this document.

3. **DOCUMENTS:**

Plaintiff WILLIAM GIBBONS received treatment for his injuries related to the medical negligence claimed against the defendants from the following sources: Deerfield Beach Community-Based Outpatient Clinic, Bronx VA Hospital and Dr. Thomas Grimaldi c/o Bronx VA Hospital. Duly-executed HIPAA compliant authorizations to obtain the plaintiff's medical records are provided herein simultaneously with the service of this document.

4. **EMPLOYMENT:**

Not applicable. Plaintiff is not claiming loss of earnings.

5. **PARTIES APPEARING:**

BARTON, BARTON & PLOTKIN, LLP  
Attorneys for Plaintiff  
420 Lexington Avenue  
New York, NY 10170

WILSON, ELSER, MOSKOWITZ, EDELMAN  
& DICKER, LLP  
Attn: Michael J. Gudzy Esq.  
150 East 42<sup>nd</sup> Street  
New York, NY 10017

6. **EXPERT DISCLOSURES:**

Plaintiff's expert disclosures will provided under separate cover.

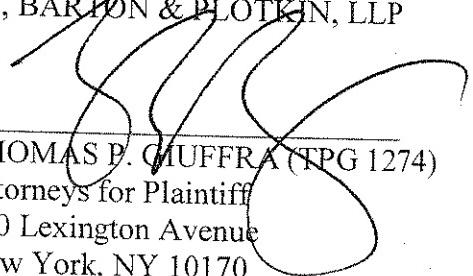
7. **PARTY STATEMENTS:**

Plaintiff is not in possession of any party statements at this time. Plaintiff, however, reserves the right to supplement this response at any time as further information becomes available.

Dated: New York, New York  
May 22, 2008

BARTON, BARTON & PLOTKIN, LLP

By:

  
THOMAS P. GIUFFRA (TPG 1274)  
Attorneys for Plaintiff  
420 Lexington Avenue  
New York, NY 10170  
(212) 687-6262

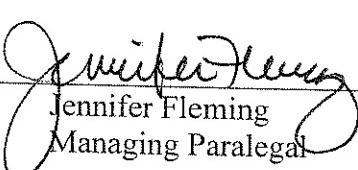
TO:

WILSON, ELSER, MOSKOWITZ, EDELMAN  
& DICKER, LLP  
Attn: Michael J. Gudzy Esq.  
150 East 42<sup>nd</sup> Street  
New York, NY 10017

**CERTIFICATE OF SERVICE**

I hereby certify that on May 22, 2008, I caused a copy of the foregoing MANDATORY DISCLOSURE PURSUANT TO FRCP 26(A) to be served via regular mail by delivering a true cop(ies) to the named defendant(s) by their respective counsel in a post-paid properly addressed sealed envelope in the exclusive care and custody of the United States Postal Service, upon the following individuals:

**Michael Joseph Gudzy, Esq.**  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP  
Attorneys for Defendants DR. FONTON, DR. FINE  
and STERLING CORP.  
150 East 42nd Street  
New York, N.Y. 10017-5639



Jennifer Fleming

Jennifer Fleming  
Managing Paralegal

Index No. CV-07-2801

Year

RJI No.

Hon.

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Defendants.

MANDATORY DISCLOSURE PURSUANT TO F.R.C.P. 26(A)

BARTON BARTON & PLOTKIN LLP

*Attorneys for Plaintiff*  
*Office and Post Office Address, Telephone*  
420 LEXINGTON AVENUE  
NEW YORK, NEW YORK 10170  
TELEPHONE: (212) 687-6262  
FACSIMILE: (212) 697-3043

Signature (Rule 130-1.1-a)

To

.....  
Print name beneath

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

.....  
Attorney(s) for

Please take notice

NOTICE OF ENTRY

that the within is a (*certified*) true copy of a  
duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
of the within named court, at  
on

of which the within is a true copy will be presented for  
one of the judges

at

M

Dated,

Yours, etc.

BARTON BARTON & PLOTKIN LLP

*Attorneys for*

To

*Office and Post Office Address*

420 LEXINGTON AVENUE

Attorney(s) for

NEW YORK, NEW YORK 10170